

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

JEANETTE HADESTY, :
Plaintiff, : CIVIL ACTION NO. 3:14-2319
v. : (JUDGE MANNION)
RUSH TOWNSHIP POLICE :
DEPARTMENT, et al. :
Defendants :
:

ORDER

As set forth in the memorandum issued this same day, **IT IS HEREBY**

ORDERED THAT:

- (1) The defendants' motion to dismiss the plaintiff's amended complaint, (Doc. [21](#)), is **GRANTED IN PART** and **DENIED IN PART**;
- (2) the defendants' motion to dismiss is **DENIED** with respect to the plaintiff's 42 U.S.C. §1983 claims for deprivation of his Fourth Amendment rights against defendants Sinton and Fort;
- (3) defendants' motion to dismiss the plaintiff's Pennsylvania state law claim for false imprisonment is **DENIED**;
- (4) the defendants' motion to dismiss Fourteenth Amendment claims is **GRANTED** insofar as plaintiff has asserted such claims;
- (5) defendants' motion to dismiss the plaintiff's malicious prosecution claim against defendants Sinton and Fort is **GRANTED**, and the

malicious prosecution claim is **DISMISSED**;

(6) defendants' motion to dismiss claims for supervisory and municipal liability against defendant Ryan Township is **GRANTED**, and defendant Ryan Township o/a Ryan Township Police Department is **DISMISSED** from the case;

(7) defendants' motion to dismiss Pennsylvania Constitutional claims is **GRANTED**, and, therefore, Count I of the plaintiff's complaint insofar as it includes claims for illegal search, illegal seizure, and malicious prosecution under Section 8 of the Pennsylvania Constitution is **DISMISSED**;

(8) defendants' motion to dismiss the plaintiff's claims for punitive damages against defendant Ryan Township is **GRANTED**, and such claims are **DISMISSED**;

(9) defendants Sinton and Fort are directed to file an answer to the remaining claims within 14 days of the date of this Order.

s/ Malachy E. Mannion
MALACHY E. MANNION
United States District Judge

Date: March 15, 2016

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